IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 2607 of 2007(I)

PETITIONER:

M/S. SKYLINE PEEVEES PROPERTIES (P) LTD,
41/349, RAJAJI ROAD, ERNAKULAM, REPRESENTED BY ITS
DIRECTOR MR.N.BALASUBRAMANIAN.

BY ADV. SRI.K.N.SIVASANKARAN
SRI.SUNIL SHANKER

RESPONDENTS:
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1. SPL. TAHSILDAR (REVENUE RECOVERY),
KANAYANNUR TALUK, ERNAKULAM.

2. ASST. COMMISSIONER (WORKS CONTRACT),
COMMERCIAL TAXES, ERNAKULAM.

BY G.P. SRI.MOHAMMED RAFFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF ASSESSMENT ORDER DT.20.9.01.

P1(a): .DO. DT.20.3.03.

P1(b): .DO. DT.20.3.04.

P1(c): .DO. DT.12.5.04.

P1(d): .DO. .DO.

P1(e): .DO. .DO.

P1(f): .DO. .DO.

P2: TRUE COPY OF R.R. NOTICE DT.5.11.2002.

P3: TRUE COPY OF COMMUNICATION OF R1 DT.15.1.07.

P4: TRUE COPY OF REPLY OF THE PETITIONER DT.17.1.07.

P5: TRUE COPY OF STATEMENT SHOWING AMOUNTS DUE AND PAID.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.2607 of 2007

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Dated this the 31st day of May, 2007.

JUDGMENT

The only dispute is short-credit of payment made. Government Pleader on instruction submitted that petitioner is liable to pay a further amount of Rs.1,54,484/-. According to him, the demand for one year 1998-99 is under stay. I do not think there is any necessity for this court to look into the payments made by the petitioner and to determine the balance liability. According to the petitioner, revised statement is received from the officer. If petitioner is not satisfied about the credit given, it is for the petitioner to furnish details of chalans or cheques through which payments are made for the officer to verify and give credit for the full payment. The W.P. is disposed of directing the officer to give final statement after verifying claim of payments within ten days from date of receipt of copy of this judgment. Recovery proceedings will be withheld for another one month and thereafter recovery will be made for the modified dues.

C.N.RAMACHANDRAN NAIR
Judge

pms